

ASCL Sponsor Members

Minutes -- 2018

Annual Meeting of the Society on July 25, 2018

MINUTES

**of the Annual Meeting of the Sponsor Members
of the American Society of Comparative Law, Inc.
Held on Wednesday, July 25, 2018, at 3:00 p.m.,
at the Fukuoka Convention Center,
Fukuoka, Japan**

The annual meeting of the Sponsor Members of the American Society of Comparative Law, Inc., was called to order by President Vivian Curran at 3:00 p.m.

1. Secretary's Roll Call

A sheet for silent roll call was distributed. The following 47 Sponsor Members were present at the meeting and were represented (in person or by proxy) by the individuals listed below:

1. University of Baltimore School of Law: Mortimer Sellers
2. University of British Columbia Allard School of Law: Joost Blom
3. University of California, Davis School of Law: Afra Afasharipour (by proxy)
4. University of California, Hastings: Alexandra Quantra
5. University of California, Los Angeles School of Law: Maximo Langer
6. Case Western Reserve University School of Law: Tim Webster
7. China University of Political Science and Law: Chengwei Liu
8. Columbia University School of Law: George Bermann (by proxy)
9. University of Connecticut School of Law: Richard Kay
10. Cornell Law School: Annelise Riles
11. University of Detroit Mercy School of Law: Howard Abrams
12. Duke University School of Law: Ralf Michaels
13. University of Florida: Pedro Malavet (by Proxy)
14. Georgetown University Law Center: Franz Werro
15. George Washington University: Francesca Bignami (by proxy)
16. Indiana University at Bloomington: Hannah L. Buxbaum
17. University of Iowa College of Law: John C. Reitz
18. Lincoln Memorial University: Melanie Reid (by proxy)
19. National University of Ireland, Galway: Ioanna Tourkochoriti[sp?]
20. McGill University, Institute of Comparative Law: Helge Dedek
21. University of Milan Law School: Antonia Baraggia
22. University of Minnesota Law School: Fred L. Morrison
23. Mississippi College School of Law: Christoph Henkel (by proxy)
24. University of Missouri-Columbia: Stacie Strong
25. University of Missouri-Kansas City School of Law: Tom Nanney

26. University of Nevada, Los Vegas: Marketa Trimble
27. University of Oklahoma Law Center: Peter B. Kutner
28. University of the Pacific McGeorge School of Law: Franklin Gevurtz
29. University of Pennsylvania Law School: Jacques deLisle (by proxy)
30. University of Pittsburgh School of Law: Vivian Grosswald Curran
31. Portucalense CRL Universidade: Jose Caramelo Gomes
32. Queens University Faculty of Law: Joshua Karton
33. Roger Williams University School of Law: Louise Teitz
34. Rutgers Law School: Eugene Mazo
35. Saint Louis University School of Law: Monica Eppinger
36. Seton Hall University School of Law: Margaret Lewis
37. National University of Singapore Faculty of Law: Gary F. Bell
38. Southwestern Law School: Mark E. Carmmack
39. Swiss Institute of Comparative Law: Dr. Lukas Heckendorn Urscheler
40. University of Texas at Austin School of Law: Richard Albert
41. Tulane University School of Law: Ron Scalise, Sally Richardson
42. Washington University School of Law: David Law
43. Wayne State University Law School: Julia Ya Qin
44. Western New England University School of Law: Peter Schroth
45. Willamette University College of Law: James A.R. Nafziger
46. Yeshiva University: Michael Rosenfeld
47. Zhejiang University Guanghua Law School: Jin Chengdong

2. Approval of Minutes of the 2017 Meeting of the Sponsor Members

The minutes from the 2017 annual meeting were approved.

3. President's Report

President Vivian Curran gave a brief report extending thanks to various individuals as she finishes her term in office and reporting that the Society is in good shape.

4. Election of New Sponsor Members and Associate Members

Three applications for sponsor membership were approved:

1. George Mason University
(Director and Editor: Nuno Garoupa)
2. Syracuse University College of Law
(Director and Editor: Antonio Gidi)
3. University of Zagreb Faculty of Law
(Director: Nina Tepes; Editor Hano Ernst)

One application for associate membership was also approved:

1. Livia Ventura
(Research Fellow in Private Comparative Law, LUISS Guido Carli University, Rome)

5. Resolution to fix the number and names of directors

It was moved, seconded and adopted to fix the number and names of directors as reflected in the current records of the Society.

6. New Business

There was no new business.

7. Adjournment

There being no further business, it was moved, seconded and approved that the Meeting of the Sponsor Members be adjourned at 3:08 p.m.

Respectfully submitted,
Franklin A. Gevurtz, Secretary
American Society of Comparative Law, Inc.

ASCL Board of Directors

Minutes -- 2018

Annual Meeting of the Society on July 25, 2018

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**of the Annual Meeting of the Board of Directors
of the American Society of Comparative Law, Inc.
Held on Wednesday, July 25, 2018, at 3:08 p.m.,
at the Fukuoka Convention Center,
Fukuoka, Japan**

The annual meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order at 3:08 p.m. by President Vivian Curran, immediately following the adjournment of the meeting of the Society's Sponsor Members.

1. Secretary's Roll Call

A sheet for silent roll call was distributed. The following 26 Directors were present (in person or by proxy) at the meeting, who are listed following the name of their institution:

1. University of British Columbia Allard School of Law: Joost Blom
2. University of California, Davis: Afra Afasharipour (by proxy)
3. Case Western Reserve University School of Law: Tim Webster
4. Columbia University School of Law: George Bermann (by proxy)
5. University of Connecticut School of Law: Richard Kay
6. University of Detroit Mercy School of Law: Howard Abrams
7. University of Florida: Pedro Malavet (by proxy)
8. George Washington University: Francesca Bignami (by proxy)
9. University of Iowa College of Law: John C. Reitz
10. Lincoln Memorial University: Melanie Reid (by proxy)
11. National University of Ireland, Galway: Ioanna Tourkochoriti [sp?]
12. University of Milan Law School: Antonia Baraggia
13. University of Minnesota Law School: Fred L. Morrison
14. Mississippi College School of Law: Christoph Henkel (by proxy)
15. University of Missouri-Columbia: Stacie Strong
16. University of Pennsylvania Law School: Jacques deLisle (by proxy)
17. University of Pittsburgh School of Law: Vivian Grosswald Curran
18. Portucalense CRL Universidade: Jose Caramelo Gomes
19. Queens University Faculty of Law: Joshua Karton
20. Roger Williams University School of Law: Louise Teitz
21. Southwestern Law School: Mark E. Carmmack
22. University of Texas at Austin School of Law: Richard Albert
23. Tulane University School of Law: Ron Scalise
24. Willamette University College of Law: James A.R. Nafziger
25. Yeshiva University: Michael Rosenfeld
26. Zhejiang University Guanghua Law School: Jin Chengdong

In addition, the following 21 individuals were present (in person or by proxy) and represented the Director from their institution:

1. University of Baltimore School of Law: Mortimer Sellers
2. University of California, Hastings: Alexandra Quantra
3. University of California, Los Angeles: Maximo Langer
4. China University of Political Science and Law: Chengwei Liu
5. Cornell Law School: Annelise Riles
6. Duke University School of Law: Ralf Michaels
7. Georgetown University Law Center: Franz Werro
8. Indiana University at Bloomington: Hannah L. Buxbaum
9. McGill University, Institute of Comparative Law: Helge Dedek
10. University of Missouri-Kansas City School of Law: Tom Nanney
11. University of Nevada, Las Vegas: Marketa Trimble
12. University of Oklahoma Law Center: Peter B. Kutner
13. University of the Pacific McGeorge School of Law: Franklin Gevurtz
14. Rutgers Law School: Eugene Mazo
15. Saint Louis University School of Law: Monica Eppinger
16. National University of Singapore Faculty of Law: Gary F. Bell
17. Seton Hall University School of Law: Margaret Lewis
18. Swiss Institute of Comparative Law: Dr. Lukas Heckendorn Urscheler
19. Washington University School of Law: David Law
20. Wayne State University Law School: Julia Ya Qin
21. Western New England University School of Law: Peter Schroth

2. Approval of Minutes of the 2017 Meeting of the Board of Directors

The Minutes of the 2017 Meeting of the Board of Directors of the Society were approved.

3. Report of the Nominating Committee and the Election of Officers and Executive Committee Members (David Clark)

James Nafziger, acting on behalf of David Clark, Chair of the Nominating Committee, who was unable to attend, reported on nominations for the Society's officers and executive committee members. There were no nominations from the floor. The results of the elections were as follows:

Honorary President: Vivian Curran (2018-2020)

President: Richard S. Kay (2018-2020)

Vice President: Maximo Langer (2018-2019)(completing what would have been Richard Kay's second year in order to keep the terms of the President and Vice President staggered)

Secretary: Franklin A. Gevurtz (2018-2020)

Executive Committee: Gary F. Bell and Virginia Harper Ho (2018-2020).

4. Report of the Treasurer (Mortimer Sellers)

The Treasurer presented his annual report on the finances of the Society---the final financial report for January 1 to December 31, 2017, having been distributed to the members prior to the meeting. The Treasurer reported that the financial condition of the Society is good and that investment income is up (regarding which the Treasurer acknowledged the work of the Investment Committee). The Treasurer stated that the Treasurer's report was largely the same as that at the prior year's meeting with the proposed dues and budget tracking prior years'. Specifically, for the next year, the Treasurer recommended that the Society continue charges for membership and expenditures at the following levels:

1. The proposed 2019 budget be approved and that;
2. Dues for Sponsor Members for 2019 remain at \$700;
3. \$10,000 donation to a sponsor member for the services of the Executive Assistant and for other costs;
4. Dues be paid to the American Council of Learned Societies in the amount of \$990;
5. Dues be paid to the International Association of Legal Science in the amount of €1000;
6. Dues to be paid to the IACL/AIDC of € 250;
7. Up to \$1,000 to be paid in reimbursement for travel to the ACLS and the IALS by ASCL officers;
8. The maximum reimbursement for each Sponsor member represented at the 2019 Annual Meeting at the University of Missouri (Columbia) be set at \$600;
9. Up to \$3000 be paid to recipients of prizes for scholarship authorized by the Society;
10. Up to \$3000 be paid for reimbursement of expenses for participation in the 2019 Comparative Law Works-in-Progress Workshop;
11. Up to \$7000 be paid for reimbursement of expenses for participation in and other costs of conferences to be sponsored by the Younger Comparatists' Committee;
12. Up to \$1000 be paid for website maintenance;
13. Up to \$1,000 for technology support and enhancement;
14. Up to \$2000 to be paid for accounting services.

After a discussion regarding the policy with respect to reimbursing travel expenses, a motion to adopt the Treasurer's Report and Recommendations was moved, seconded and adopted.

5. Board of Directors Meeting Suspended – Meeting of the Board of Editors of the American Journal of Comparative Law Convened – Report of the Editors-in-Chief (Helge Dedek and Franz Werro)

The Directors meeting was suspended and the meeting of the Board of Editors of the American Journal of Comparative Law was convened at 3:35 p.m. Helge Dedek and Franz Werro, Editors-in-Chief, reported on the Journal, having distributed an extensive written annual report for the Journal. Helge Dedek reported that the Journal has published over 1200 pages during the year in an interesting volume covering a broad spectrum of topics, including a symposium focused on China and a supplemental issue containing U.S. National Reports to the 2018 International Congress of Comparative Law. He further reported that the transition to publication by Oxford University Press has largely worked out and that the Journal has caught up on its publication backlog.

6. Meeting of the Board of Editors of the American Journal of Comparative Law Adjourned--Directors' Meeting Reconvened

President Curran reconvened the Board of Directors meeting at 3:43 p.m.

7. Report of the Annual Meeting Program Committee (Maximo Langer).

Maximo Langer gave a report on behalf of the Program Committee. This included a very brief preview of the program planned for the 2019 annual meeting in Columbia, Missouri.

8. Report of the Prizes Committee (John Reitz)

John Reitz reported on behalf of the Prizes Committee that, because of the earlier than normal date of this year's annual meeting, the selection of this year's prizewinners for scholarship was still in process.

9. Report of the Younger Comparativists' Committee (Joshua Karton)

Joshua Karton, chair of the Younger Comparativists' Committee (YCC), having made available to the members a written report detailing various past and upcoming events by the YCC, listed activities undertaken by the YCC this year, mentioned the YCC's upcoming annual conference at McGill University, and thanked those who volunteered to help on the YCC's activities during the year.

10. Report of the Finance Committee (Ron Scalise)

Ron Scalise reported on behalf of the Finance Committee. The Committee is recommending updating the investment guidelines followed by the Society.

11. Report of the Audit Committee (Richard Kay)

Richard Kay reported on behalf of a committee appointed to review the financial reports for the Journal received by the Society from Oxford University Press (OUP). The committee noted one issue regarding costs incurred by the Editor-in-Chiefs' schools for editing of the Journal, which OUP was supposed to undertake.

12. Report on the ASCL book series published by Cambridge University Press (Mortimer Sellers)

Mortimer Sellers reported on the books in the works for the ASCL book series published by the Cambridge University Press and invited proposals for books for the series.

13. Report of the Plurilingualism Committee (Stacie Strong)

Stacie Strong reported on behalf of the Plurilingualism Committee that the goal of the Committee is to promote foreign language components in conferences but that the Committee has not been able to do much this year.

14. Report of Ad Hoc Committees

The Society received reports from three ad hoc committees appointed by the President.

a. Long Term Planning (Maximo Langer)

Maximo Langer provided an overview of the thoughts of the ad hoc long-term planning committee formed by the President to rethink the annual meeting. Overall, the committee is keying on gradual change and increasing participation in the non-business meeting components of the Society's annual meeting. Ideas include: experiments in a Thursday session for the annual meeting; building on the use of a combination of plenary and concurrent Friday sessions as done at the 2017 annual meeting, with diverse topics and multilingual presentations; and, while leaving the traditional Saturday morning agenda, considering expanding the meeting into Saturday afternoon.

b. Individual Membership (Ralf Michaels)

Ralf Michaels reported on behalf of the ad hoc committee formed by the President to examine individual membership in the Society. He noted that the membership structure of the Society built around institutional sponsor members was unusual in learned societies and may result in a lower number of members, as well as an older group of comparative law scholars who participate in the Society while many comparative law scholars do not participate. A written report prepared by the committee discusses a number of ideas for increasing the attractiveness of individual memberships (currently labeled associate memberships) as well as allowing comparative law scholars at sponsor member institutions who wish to participate as delegates from their institutions to nominate themselves for this role. The impact of these changes on the governance of the Society will require more thought.

c. YCC (Richard Kay)

Richard Kay reported on behalf of the ad hoc committee formed by the President to consider the relationship between the Society and the YCC. The committee has drafted seven principles to address this topic:

1. The Younger Comparativists Committee (YCC) is a committee of the American Society of Comparative Law (ASCL). Its members and its Chair are named by the President of the Society. In making these appointments, the President will take into account the recommendations of the outgoing Chair. In making these

- recommendations the YCC Chair may refer to any internal selection process employed by the committee.
2. The YCC may adopt any internal organization and procedures it deems most appropriate. Final decision-making within the committee, however, is vested in the members appointed by the President of the ASCL (paragraph 1).
 3. The Chair of the YCC will be a non-voting member of the ASCL Executive Committee. The Chair will be invited to Executive Committee meetings and included in all communications distributed to the members of that Committee.
 4. The YCC may sponsor and organize academic conferences aimed at younger comparatists. Locations, dates, topics, formats, and the criteria and procedures for selecting participants will be decided in cooperation with the ASCL Annual Program Committee.
 5. In planning the annual meetings of the ASCL, the ASCL Annual Program Committee will consult with the YCC chair for the purpose of facilitating and promoting the participation of younger comparativists on panels and presentations in the academic program.
 6. The YCC may sponsor annual prizes. The YCC shall co-operate with the Prizes Committee of the Society in deciding
 - a. the number of such prizes,
 - b. the bases on which they will be awarded,
 - c. the nature of the awards, and
 - d. the procedures for choosing recipients.
 7. The YCC may engage in other activities or programs that promote the study of comparative law by younger scholars. Before undertaking any substantial new programs or activities, the YCC will consult with the President of the Society. No such programs or activities will proceed without the approval of the Executive Committee.

These principles will be posted on the Society's website and addressed at the Society's next annual meeting.

15. Continuing and New Business

The Editors-in-Chief of the Journal having agreed to continue in this role, it was moved, seconded and adopted to continue the current Editors-in-Chief of the Journal for another 5-year term.

It was moved, seconded and adopted to make certain non-substantive changes (i.e. to make language gender neutral) in the Society's bylaws.

16. Announcements

There were announcements of upcoming events.

17. Adjournment

There being no further business, it was moved, seconded and approved that the meeting be adjourned at 4:50 p.m.

Respectfully submitted,

Franklin A. Gevurtz

Secretary, American Society of Comparative Law, Inc.